



OFFICE OF THE PROSECUTING ATTORNEY
24TH JUDICIAL CIRCUIT
HAMILTON COUNTY, INDIANA

PRESS RELEASE

Wednesday, March 26, 2014

Background:

On March 12, 2014, which was the third day of his jury trial, Micah Harrison entered a plea of guilty but mentally ill to the charge of Murder for the killing of Harrison's two-year old son, Michael. The Defendant had alleged the defense of insanity, and his trial was still in the jury selection phase. The Defendant had faced the possibility of being sentenced to life without parole.

The Court accepted the plea agreement and entered a judgment of conviction against Harrison on March 12th. The plea agreement called for Harrison to be sentenced to fifty-five (55) years in prison. He has been held at the Hamilton County Jail since January 9, 2013, the date of the murder.

Update:

Micah Harrison was sentenced today pursuant to the plea agreement reached with the State.

The murder case involved the insanity defense in which both of the court-appointed doctors, a psychiatrist and a psychologist, provided opinions that the Defendant was insane at the time he committed the murder due to schizophrenia. Another psychiatrist examined the Defendant and came to a different conclusion, that Harrison was not insane at the time he murdered his son.

"In the State's estimation, [the other psychiatrist] had taken into account the Defendant's acute and historical use of drugs," Chief Deputy Prosecuting Attorney Andre Miksha explained to Judge Steven R. Nation at the sentencing hearing. Miksha explained that the Defendant had a history of using methamphetamine, marijuana, possibly bath salts, alcohol, and synthetic cannabinoids.

“The State’s evidence ... was that the Defendant did have drugs in his system that day,” Miksha stated. “He tested positive for Delta-9 Carboxy THC, which is the metabolite of marijuana.” “He also had a substance called UR-144 [which] is a common name for a particular synthetic cannabinoid.” The murder followed a weekend meth bender for which Harrison’s symptoms of “‘coming down’ from methamphetamine, in the past, included delusions, paranoia, and hallucinations.” Those three symptoms are also potential effects from synthetic cannabinoids, such as UR-144. Miksha further expressed the extraordinary brutality of the slaying.

Miksha explained to the Court that “no one is really happy” with the plea agreement. “The Defendant gave up the opportunity to be found *not responsible by reason of insanity*. ... He has gained the sure thing that he can be free from this sentence one day.” The State “gave up its opportunity to seek *life imprisonment without parole*, or at least an aggravated sentence, and this was in the light of so many aggravating circumstances being present. First and foremost [was] Michael’s age, not simply being under twelve years old, but being two.”

At the conclusion of the hearing, the Defendant was remanded to the custody of the Sheriff to be transported to the Indiana Department of Correction so that Harrison can serve the sentence in a Department of Corrections penal facility.

A copy of the Sentencing Order is attached for your reference.

* * *

STATE OF INDIANA
COUNTY OF HAMILTON

SS:

IN THE HAMILTON SUPERIOR COURT 1

STATE OF INDIANA
v.
MICAHA WILLIAM HARRISON

CAUSE NO.: 29D01-1301-MR-000229

SENTENCING ORDER

Comes now the State of Indiana by Prosecuting Attorney D. Lee Buckingham, II, Chief Deputy Prosecuting Attorney Andre Miksha, and Deputy Prosecuting Attorney Jamie T. Campbell; the Defendant, in person and by counsel, Daniel E. Henke and Lawrence D. Newman; and the Probation Department by Officer Carol L. Bruns, for a Sentencing Hearing on March 26, 2014.

On March 12, 2014 Defendant entered a plea of Guilty But Mentally Ill and Judgment of Conviction was entered as to Count 1, Murder, a Felony.

The Presentence Investigation Report was filed on March 18, 2014. Addendum was filed on March 21, 2014 including Victim Impact Statement from M. Sean Kelly as victim representative pursuant to I.C. 35-38-1-2 (a). Addendum 2 was filed on March 24, 2014. Addendum 3 was filed on March 25, 2014. Corrections are made as set forth in the record. Defendant does not make a statement to the Court. Arguments are presented.

The Defendant is now sentenced as follows:

Count 1, Murder, a Felony:

- Total sentence:* Fifty-five (55) years in the Indiana Department of Correction.
- Executed:* Fifty-five (55) years executed.
- Suspended:* None suspended.
- Credit time:* Defendant shall be granted actual-time and good-time credits for four hundred forty-one (441) actual days served (1/9/2013 - 3/25/2014) prior to sentencing for a total of eight hundred eighty-two (882) days toward the executed sentence.
- Costs & fine:* Court costs of \$168.00 imposed and reduced to a civil judgment.
No fine.
Child Abuse Prevention fee of \$100.00 imposed and reduced to a civil judgment.
- Restitution:* Defendant shall pay restitution in the amount of \$3,550.00 to M. Sean Kelley for expenses and losses incurred in the offense, pursuant to IND.

CODE § 35-50-5-3(a)(4) and (5). Restitution is reduced to a civil judgment against the Defendant.

No-Contact: No Contact Orders are issued by separate Orders. Defendant shall refrain from any direct or indirect contact with M. Sean Kelley, Deborah Kelley, and Megan Kelley, pursuant to IND. CODE § 35-38-1-30.

Defendant is remanded to the custody of the Hamilton County Sheriff.

Appearances of Daniel E. Henke and Lawrence D. Newman are hereby ordered withdrawn.

SO ORDERED THIS 26TH DAY OF MARCH 2014.



STEVEN R. NATION
JUDGE, HAMILTON SUPERIOR COURT 1

Distribution:

1. Prosecuting Attorney
2. Daniel E. Henke
3. Larry Newman
4. Probation Services
5. Sheriff
6. Clerk
7. Det. Sadler NPD (copy provided via PA)

